



FURNISHING NURSE PRACTITIONERS AND CERTIFIED NURSE MIDWIVES

CURES Mandatory Use Begins October 2, 2018 prior to Prescribing, Ordering, Administering or Furnishing a Schedule II-IV Controlled Substance.

Legislative Session: 2015-2016 SB 482 (Lara), Chapter 708 an act to amend Health and Safety Code Sections 11165 and 11165.1 of, and to add Section 11165.4 to, the Health and Safety Code, relating to controlled substances.

Effective October 2, 2018 requires the health care practitioner authorized to prescribe, order, administer, or furnish a controlled substance to consult the CURES database to review the patient's controlled substance history no earlier than 24 hours, or previous business day, before prescribing a Schedule II, Schedule III, or Schedule IV controlled substance to the patient for the first time and at least once every 4 months thereafter if the substance remains part of the treatment of the patient.

The CURES mandatory use would exempt a health care practitioner from this requirement under specified circumstances, including amongst others, if prescribing, ordering, or furnishing a controlled substance to a patient receiving hospice care, to patient admitted to a specified facility for use while on facility premises, or to a patient as part of a treatment for surgical procedure in a specified facility if the quantity of the controlled substance does not exceed a nonrenewable 5-day supply of the controlled substance that is to be used in accordance with the direction for use. The health care practitioner authorized to prescribe, order, administer, or furnish a controlled substance to consult the CURES database for the first time he or she prescribes, orders, administers, or furnishes a controlled substance to a patient pursuant to one of those exemption, the health care practitioner to consult the CURES database before subsequently prescribing Schedule II, Schedule III, or Schedule IV controlled substance to the patient and at least once every 4 months thereafter if the substance remains part of the treatment plan for the patient.

The health care practitioner who fails to consult the CURES database as required is to be referred to the appropriate state professional licensing board solely for administrative sanctions, as deemed appropriate by the board.

The health care practitioner is authorized to provide a patient with a copy of the patient's Cures patient activity report if no additional Cures data is provided.

Cures also prohibits a regulatory board whose licensees do not prescribe, order, administer, furnish, or dispense controlled substances from obtaining data from the Cures database. Existing law requires the operation of CURES database to comply with all applicable federal and state privacy and security laws and regulations. Existing law authorizes the disclosure of data obtained from the CURES database to agencies and entities only for specified purposes and requires the Department of Justice to establish policies and procedures, and regulations regarding use, access, disclosure, and security of the information within the CURES database.

Cures Program

California Department of Justice
Office of the Attorney General
(916) 210 3187
CURES@doj.ca.gov

Section 1. Section 11165 of the Health and Safety Code amended:

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=11165.&lawCode=HSC

Section 2. Section 11165.1 of Health and Safety Code amended:

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=11165.1.&lawCode=HSC

Section 3. Section 11165.4 of Health and Safety Code is added

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=11165.4.&lawCode=HSC